



DANIEL J. WARREN  
SUTHERLAND ASBILL & BRENNAN LLP  
999 PEACHTREE ST., NE  
ATLANTA GA 30308

**COPY MAILED**

**JAN 22 2007**

**OFFICE OF PETITIONS**

**ON PETITION**

In re Patent No. 7,009,840 :  
Issued: March 7, 2006 :  
Application No. 10/783,333 :  
Filed: February 20, 2004 :  
Attorney Docket Number: 20674.0005 :

This is a decision on the request filed April 26, 2006 to correct the assignee's name on the front of the Patent, which is being treated as a request under 37 CFR 3.81(b)<sup>1</sup>

The petition is **GRANTED**.

A request for certificate of correction was filed April 11, 2006 but was not in compliance with 37 CFR 3.81 and therefore was dismissed in a decision mailed April 20, 2006.

37 CFR 3.81(b), effective June 25, 2004, reads:

*After payment of the issue fee:* Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a) and the processing fee set forth in § 1.17(i) of this chapter.

Comes now Petitioner stating that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent in that the assignment was recorded with the parent application, application no. 09/397,817. Further, petitioner has included the processing fee in the amount of \$130.00 as set forth in § 1.17(i).

---

<sup>1</sup> See Official Gazette of June 22, 2004

In view thereof, and since Office assignment records reflect that FHS ACQUISITION, LLC is the assignee of record, the request complies with the provisions of 37 CFR 3.81(b) and it is therefore appropriate for a certificate of correction to issue.

The petition fee in the amount of \$130.00 and the fee for the certificate of correction in the amount of \$100 have been applied.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-3212. Any questions concerning the issuance of a certificate of correction should be directed to the Certificates of Correction Branch at (703) 305-8309.

This file is being referred to the Certificates of Correction Branch for issuance of a certificate of correction.

A handwritten signature in black ink, reading "Patricia Faison-Ball". The signature is written in a cursive, flowing style with a large initial "P".

Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions